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MASS TORT CIVIL DIV
MIDDLESEX VICINAGE

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Attorneys for Plaintiffs

KATHLEEN SAUL and PHILIP SAUL,

Plaintiffs,

v.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-MIDDLESEX COUNTY

DOCKET NO. **MID-L-00827-18** AS

BRENNTAG NORTH AMERICA, INC. (sued
individually and as successor-in-interest to
MINERAL PIGMENT SOLUTIONS, INC. and as
successor-in-interest to WHITTAKER CLARK &
DANIELS, INC.);

CIVIL ACTION
ASBESTOS LITIGATION

ORIGINAL COMPLAINT AND
DEMAND FOR TRIAL BY JURY

BRENNTAG SPECIALTIES, INC. f/k/a
MINERAL PIGMENT SOLUTIONS, INC. (sued
individually and as successor-in-interest to
WHITTAKER CLARK & DANIELS, INC.);

BRISTOL-MYERS SQUIBB COMPANY (sued
individually and as successor-in-interest to
CHARLES OF THE RITZ);

COLGATE-PALMOLIVE COMPANY;

CYPRUS AMAX MINERALS COMPANY
(sued individually, doing business as, and as
successor to AMERICAN TALC COMPANY,
METROPOLITAN TALC CO. INC. and
CHARLES MATHIEU INC. and SIERRA TALC
COMPANY and UNITED TALC COMPANY);

IMERYS TALC AMERICA, INC. (sued individually and as successor-in-interest to LUZENAC AMERICA, INC. successor-in-interest to CYPRUS INDUSTRIAL MINERALS COMPANY and WINDSOR MINERALS, INC. and METROPOLITAN TALC CO.);

JOHNSON & JOHNSON;

JOHNSON & JOHNSON CONSUMER INC., a subsidiary of JOHNSON & JOHNSON;

REVLON, INC.;

WHITTAKER CLARK & DANIELS, INC.;

YVES SAINT LAURENT AMERICA, INC., a subsidiary of KERING HOLLAND NV;

JOHN DOE CORPORATIONS 1-50
(fictitious),

Defendants.

Plaintiffs, by way of Complaint against Defendants, upon information and belief allege as follows:

PARTIES – PLAINTIFFS

1. Plaintiffs, KATHLEEN SAUL and PHILIP SAUL, reside at 1465 Dogwood Drive, Sarasota, Florida 34232.

2. Plaintiff KATHLEEN SAUL was exposed to asbestos through her Mother, Esther Brzezinski's, regular and frequent use of asbestos-containing Cashmere Bouquet talcum powder and Jean Nate talcum powder from approximately 1956 to 1960. Plaintiff KATHLEEN SAUL was further exposed to asbestos through her Mother's regular and frequent use of Johnson's Baby Powder on Plaintiff's siblings from approximately the 1950's to the 1969. Additionally, Plaintiff KATHLEEN SAUL was exposed to asbestos through her regular and frequent personal use of Jean Nate talcum powder and Johnson's Baby Powder from approximately 1965 to 1969.

Plaintiff KATHLEEN SAUL's and her Mother's regular and frequent use of Cashmere Bouquet talcum powder, Jean Nate talcum powder and Johnson's Baby Powder generated asbestos-containing dust and exposed Plaintiff KATHLEEN SAUL to respirable asbestos fibers.

As a direct and proximate result of the above exposures, Plaintiff KATHLEEN SAUL contracted mesothelioma and has suffered, and continues to suffer, from other various diverse injuries and attendant complications.

3. Plaintiffs bring this action on behalf of themselves.

4. Plaintiffs claim damages as a result of:

 x loss of consortium (per quod)

 x loss of services

 x economic loss

 x pain and suffering

5. Reference herein to "Plaintiff" and "Plaintiffs" are references to all the persons set forth above as is syntactically and contextually correct.

PARTIES - DEFENDANTS

1. Defendants are corporations organized under the laws of New Jersey and/or various states of the United States of America that were and are doing business in the State of New Jersey. The aforementioned Defendants mined, milled, designed, manufactured, sold, supplied, purchased, and/or marketed asbestos, and/or asbestos-containing products, and/or asbestos-containing talc and/or other finished and unfinished asbestos-containing talcum powder products, and/or raw asbestos fiber of various kinds and grades to which Plaintiff KATHLEEN SAUL was exposed.

2. Defendants **BRENNTAG NORTH AMERICA, INC.** (sued individually and as

successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.), **BRENNTAG SPECIALTIES, INC.** f/k/a MINERAL PIGMENT SOLUTIONS, INC. (sued individually and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.), **BRISTOL-MYERS SQUIBB COMPANY** (sued individually and as successor-in-interest to CHARLES OF THE RITZ), **COLGATE-PALMOLIVE COMPANY, CYPRUS AMAX MINERALS COMPANY** (sued individually, doing business as, and as successor to AMERICAN TALC COMPANY, METROPOLITAN TALC CO. INC. and CHARLES MATHIEU INC. and SIERRA TALC COMPANY and UNITED TALC COMPANY), **IMERYS TALC AMERICA, INC.** (sued individually and as successor-in-interest to LUZENAC AMERICA, INC. successor-in-interest to CYPRUS INDUSTRIAL MINERALS COMPANY and WINDSOR MINERALS, INC. and METROPOLITAN TALC CO.), **JOHNSON & JOHNSON, JOHNSON & JOHNSON CONSUMER INC.**, a subsidiary of JOHNSON & JOHNSON, **REVLON, INC.**, and **WHITTAKER CLARK & DANIELS, INC.** were designers, manufacturers, suppliers or distributors of asbestos, and/or asbestos-containing products, and/or asbestos-containing talc and/or other finished and unfinished asbestos-containing talcum powder products, and/or raw asbestos fiber of various kinds and grades to which Plaintiff KATHLEEN SAUL was exposed.

3. Defendants, **JOHN DOE CORPORATIONS 1-50**, are the fictitious names of corporations, partnerships, or other business entities or organizations whose identities are not presently known, and who mined, milled, manufactured, sold, supplied, purchased, marketed, installed and/or removed asbestos, and/or asbestos-containing products, and/or equipment requiring or calling for the use of asbestos and/or asbestos-containing products, and/or asbestos-containing talc and/or other finished and unfinished asbestos-containing talcum powder products,

and/or raw asbestos fiber of various kinds and grades to which Plaintiff KATHLEEN SAUL was exposed, and/or who are the alter egos of or are otherwise responsible for the conduct or liability of those who have done so.

4. The term "Defendants" is used hereafter to refer to all the entities named above.

5. Defendants conduct business in the State of New Jersey, and certain Defendants reside or maintain their principal offices in the State of New Jersey.

FIRST COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above and repeat them herein.

2. Defendants, at all times material hereto, acted through their respective officers, employees and agents, who in turn were acting within the scope of their authority and employment in furtherance of the business of Defendants.

3. Defendants were engaged, directly or indirectly, in the mining, milling, designing, manufacturing, producing, processing, compounding, converting, selling, merchandising, supplying, or distributing of asbestos, and/or asbestos-containing talc and/or other finished and unfinished asbestos-containing talcum powder products, asbestos-containing products, and/or raw asbestos fiber of various kinds and grades which Defendants knew or should have foreseen would be used with asbestos-containing products (hereinafter collectively referred to as "Defendants' Products").

4. Defendants, directly or indirectly, caused Defendants' Products to be sold to or used by Plaintiff KATHLEEN SAUL and her Mother in their personal residences.

5. Plaintiff KATHLEEN SAUL, during her personal use and through her Mother's personal use and use on Plaintiff's siblings, was exposed to and came in contact with

Defendants' Products. Plaintiff KATHLEEN SAUL inhaled or ingested the asbestos dust and fibers emanating from Defendants' Products.

6. As a direct and proximate result of Plaintiff KATHLEEN SAUL's inhalation and ingestion of dust particles and fibers from Defendants' Products, Plaintiff KATHLEEN SAUL developed permanent and disabling personal injuries.

7. During the time that Defendants mined, milled, designed, manufactured, produced, processed, compounded, converted, sold, merchandised, distributed, and supplied Defendants' Products, Defendants knew, or in the exercise of reasonable care should have known, that Defendants' Products were defective, ultrahazardous, dangerous and otherwise highly harmful to Plaintiff KATHLEEN SAUL.

8. Defendants knew, or in the exercise of reasonable care should have known, that the use of Defendants' Products would cause asbestos dust and fibers to be released into the air and would create dangerous and unreasonable risk of injury to the lungs, respiratory systems, larynx, stomach and other bodily organs of users of Defendants' Products and to others breathing that air and coming into contact with that dust.

9. Plaintiff KATHLEEN SAUL did not know the nature and extent of the injury that would result from contact with and exposure to Defendants' Products or from the inhalation or ingestion of the asbestos dust and fibers.

10. Defendants knew, or in the exercise of reasonable care should have known, that Plaintiff KATHLEEN SAUL would come into contact with and be exposed to Defendants' Products and would inhale or ingest asbestos dust and fibers as a result of the ordinary and foreseeable use of Defendants' Products by Plaintiff KATHLEEN SAUL and her Mother.

11. Despite the facts as set forth above, Defendants negligently, recklessly and intentionally:

(a) mined, milled, designed, manufactured, produced, processed, compounded, converted, sold, supplied, merchandised, distributed or otherwise placed in the stream of commerce Defendants' Products which Defendants knew or in the exercise of reasonable care should have known, were defective, dangerous, ultrahazardous and otherwise unreasonably harmful to Plaintiff KATHLEEN SAUL;

(b) failed to take reasonable precautions or exercise reasonable care to warn Plaintiff KATHLEEN SAUL and her Mother adequately of the risks, dangers and harm to which Plaintiff would be exposed by exposure to, contact with, use and handling of Defendants' Products, or by inhalation or ingestion of the asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products;

(c) failed to provide information or reasonably safe and sufficient safeguards, wearing apparel, proper equipment and appliances necessary to protect Plaintiff KATHLEEN SAUL from being injured, poisoned, disabled, killed or otherwise harmed by using, handling, coming into contact with and being exposed to Defendants' Products, or by inhalation or ingestion of the asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products;

(d) failed to package Defendants' Products in a manner that would assure that Plaintiff KATHLEEN SAUL would not come into contact with or be exposed to the asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products;

(e) failed to advise Plaintiff KATHLEEN SAUL and her Mother of the necessity to adopt and enforce a safe, sufficient and proper method and plan of using, handling, coming into

contact with and being exposed to Defendants' Products so that Plaintiff would not inhale or ingest the asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products;

(f) ignored and/or suppressed medical and scientific information, studies, tests, data and literature which Defendants acquired during the course of their normal business activities concerning the risk of asbestosis, scarred lungs, cancer, mesothelioma, respiratory disorders and other illnesses and diseases to individuals such as Plaintiff KATHLEEN SAUL, and other persons similarly situated, who were exposed to Defendants' Products;

(g) disregarded medical and scientific information, studies, tests, data and literature concerning the causal relationship between the inhalation or ingestion of asbestos dust and fibers, and such diseases as asbestosis, mesothelioma, scarred lungs, cancer, respiratory disorders and other illnesses and diseases;

(h) exposed and continued to expose Plaintiff KATHLEEN SAUL and other persons similarly situated to the risk of developing asbestosis, mesothelioma, scarred lungs, cancer and other illnesses, all of which risks Defendants knew, or in the exercise of reasonable care should have known, were consequences of exposure to asbestos dust and fibers;

(i) failed to seek substitute materials in lieu of the use of asbestos;

(j) failed to advise Plaintiff KATHLEEN SAUL who Defendants knew, or in the exercise of reasonable care should have known, had been exposed to, inhaled or ingested asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products; to cease further uncontrolled or unprotected exposure to Defendants' Products and the inhalation or ingestion of asbestos dust and fibers and all other kinds of smoke, dusts and fumes; to be examined by competent medical doctors to determine the nature and extent of any and all

diseases caused by inhalation or ingestion of asbestos dust and fibers; and to receive medical care and treatment for such diseases.

12. Defendants otherwise acted negligently, recklessly and with intentional disregard for the welfare of Plaintiff KATHLEEN SAUL in the mining, milling, designing, manufacturing, producing, processing, compounding, converting, selling, merchandising, supplying, distributing, or otherwise placing in the stream of commerce Defendants' Products.

13. As a direct and proximate result of the acts and omissions of Defendants, Plaintiff KATHLEEN SAUL was exposed to and came in contact with Defendants' Products and inhaled or ingested asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products. Plaintiff KATHLEEN SAUL developed mesothelioma as a direct and proximate result of said exposure to Defendants' Products. Plaintiff KATHLEEN SAUL has and continues to endure severe pain and suffering and mental anguish, has been required to expend great sums of money for medical care and treatment related thereto, has been prevented from pursuing her normal activities and employment and has been deprived of her ordinary pursuits and enjoyments of life. Plaintiff KATHLEEN SAUL has suffered lost wages and earnings and severe pecuniary loss, all to Plaintiffs' KATHLEEN SAUL's and PHILIP SAUL's loss.

WHEREFORE, Plaintiffs demand judgment against Defendants jointly, severally, or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

SECOND COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. Defendants expressly or impliedly warranted that Defendants' Products, which they mined, milled, designed, manufactured, produced, compounded, converted, processed, sold, supplied, merchandised, distributed or otherwise placed in the stream of commerce were merchantable, reasonably fit for use and safe for their intended purposes.

3. Defendants breached said warranties in that Defendants' Products were defective, ultrahazardous, dangerous, unfit for use, not merchantable and not safe for their intended, ordinary and foreseeable use and purpose.

4. As a direct and proximate result of Defendants' breach of warranties, Plaintiff KATHLEEN SAUL was exposed to asbestos and came in contact with Defendants' Products and inhaled or ingested asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products. Plaintiff KATHLEEN SAUL has suffered the injuries, expenses and losses, including severe pain and suffering and mental anguish, as alleged in prior counts of this Complaint.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally, or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

THIRD COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. Defendants failed to disclose and intentionally and negligently misrepresented to Plaintiff KATHLEEN SAUL and her Mother the health risks created by the ordinary use of Defendants' Products.

3. Plaintiff KATHLEEN SAUL and her Mother relied upon said representations. Plaintiff KATHLEEN SAUL's and her Mother's reliance was foreseeable to Defendants.

4. As a result of Defendants' conduct, Plaintiff KATHLEEN SAUL came in contact with Defendants' Products and inhaled or ingested asbestos dust and fibers from Defendants' Products. Plaintiff KATHLEEN SAUL has suffered the injuries, expenses and losses, including severe pain and suffering and mental anguish, as alleged in prior counts of this Complaint.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally, or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

FOURTH COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. Defendants are strictly liable to Plaintiffs by reason of the following:

(a) Defendants were engaged in the business of being miners, millers, designers, manufacturers, producers, processors, sellers, suppliers, and distributors of Defendants' Products;

(b) Defendants knew or had reason to know that Plaintiff KATHLEEN SAUL, her Mother, and other persons similarly situated would be ultimate users or consumers of Defendants' Products or would be exposed to Defendants' Products;

(c) Defendants sold or otherwise placed Defendants' Products into the stream of commerce in a defective condition, unreasonably dangerous to Plaintiff KATHLEEN SAUL and other persons similarly situated;

(d) Throughout the many years that Plaintiff KATHLEEN SAUL and other similarly situated persons were exposed to and used Defendants' Products, said products reached the users and consumers without substantial change in the condition in which they were sold;

(e) The ordinary and foreseeable use of Defendants' Products constituted a dangerous and ultrahazardous activity and created an unreasonable risk of injury to users and bystanders;

(f) Defendants' Products were defective in that they deviated from the design specifications and/or standards set forth by the manufacturer, were incapable of being made safe for their ordinary and intended use and purpose due to their defective design, and Defendants failed to give any warnings or instructions, or failed to give adequate or sufficient warnings or instructions about the risks, dangers and harm associated with the use of Defendants' Products.

3. As a consequence of the defective condition of Defendants' Products and their failure to warn, Plaintiff KATHLEEN SAUL inhaled or ingested asbestos dust and fibers during ordinary and foreseeable use of Defendants' Products. Plaintiff KATHLEEN SAUL has suffered the injuries, expenses and losses, including severe pain and suffering and mental anguish, as alleged in prior counts of this Complaint.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

FIFTH COUNT
(Product Liability Act Claim)

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. Defendants are strictly liable to Plaintiffs by reason of the following:

(a) Defendants were engaged in the business of being miners, millers, designers, manufacturers, producers, processors, sellers, suppliers, and distributors of Defendants' Products;

(b) Defendants knew or had reason to know that Plaintiff KATHLEEN SAUL and other persons similarly situated would be ultimate users or consumers of Defendants' Products or would be exposed to Defendants' Products;

(c) Defendants sold or otherwise placed Defendants' Products into the stream of commerce in a defective condition, unreasonably dangerous to Plaintiff KATHLEEN SAUL and other persons similarly situated;

(d) Throughout the many years that Plaintiff KATHLEEN SAUL and other similarly situated persons were exposed to and used Defendants' Products, said products reached the users and consumers without substantial change in the condition in which they were sold;

(e) The ordinary and foreseeable use of Defendants' Products constituted a dangerous and ultra-hazardous activity and created an unreasonable risk of injury to users and bystanders;

(f) Defendants' Products were defective in that they deviated from the design specifications and/or standards set forth by the manufacturer, were incapable of being made safe for their ordinary and intended use and purpose due to their defective design, and Defendants failed to give any warnings or instructions, or failed to give adequate or sufficient warnings or instructions about the risks, dangers and harm associated with the use of Defendants' Products.

3. As a consequence of the defective condition of Defendants' Products and their failure to warn, Plaintiff KATHLEEN SAUL inhaled or ingested asbestos dust and fibers during ordinary and foreseeable use of Defendants' Products. Plaintiff KATHLEEN SAUL has

suffered the injuries, expenses and losses, including severe pain and suffering and mental anguish, as alleged in prior counts of this Complaint.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

SIXTH COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. Defendants acted in concert with each other and with other members of the industry through express agreement, implicit agreement, imitative behavior and conscious parallel behavior:

(i) to withhold from users of Defendants' Products, and from persons who Defendants knew or should have known would be exposed to Defendants' Products, information regarding the health risks of breathing or ingesting asbestos dust and fibers;

(ii) to eliminate or prevent development of adequate procedures and tests relating to the health hazards of exposure to asbestos fibers and dust; and

(iii) to assure that Defendants' Products became widely used in industries such as personal hygiene and similar such industries.

3. Defendants knew that their activities were violative of common law standards of care and that their withholding of information, failure to develop tests and procedures and promotion of widespread use of Defendants' Products would expose persons such as Plaintiff KATHLEEN SAUL to unreasonable risk of bodily injury.

4. Defendants nevertheless gave substantial assistance and encouragement to each other and to other members of the industry and assisted each other and other members of the industry in: withholding information regarding the dangers of asbestos; failing to develop tests and procedures to assure that users of asbestos would not be subjected to risk of injury; and promoting widespread use of products which Defendants knew would expose Plaintiff KATHLEEN SAUL to unreasonable risk of bodily injury.

5. As a direct and proximate consequence of the concerted actions of Defendants and other members of the industry, Plaintiff KATHLEEN SAUL was exposed to and came in contact with Defendants' Products, and inhaled or ingested asbestos dust and fibers resulting from the ordinary and foreseeable use of Defendants' Products. Plaintiff KATHLEEN SAUL was caused to suffer the injuries, expenses and losses, including severe pain and suffering and mental anguish, as alleged in prior counts of this Complaint.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally, or in the alternative, for compensatory damages, punitive damages, pre- and post-judgement interest, and costs of suit as provided by law.

SEVENTH COUNT

1. Plaintiffs reiterate the facts and contentions as set forth above, and repeat them herein.

2. The Defendants constitute all known non-remote producers, designers, manufacturers, suppliers, and distributors of the asbestos-containing products which could have caused Plaintiff KATHLEEN SAUL's injuries.

3. Each of the Defendants, whether acting individually or in concert with others, violated a duty of care owed to Plaintiff KATHLEEN SAUL, or otherwise engaged in culpable

activity against Plaintiff KATHLEEN SAUL. The acts and omissions of at least one of the Defendants caused Plaintiff KATHLEEN SAUL to suffer the injuries, losses and expenses alleged in prior counts of this Complaint.

4. Plaintiff KATHLEEN SAUL in no respect can be blamed should she be unable to establish which of Defendants' Products caused the injuries complained of herein.

5. The burden of proof in this matter thus should shift to Defendants to demonstrate that their respective conduct and their respective products could not have caused Plaintiff KATHLEEN SAUL's injuries, and, failing such proof, Defendants should be held jointly, severally, or alternatively liable for Plaintiff KATHLEEN SAUL's injuries.

WHEREFORE, Plaintiffs demand judgment against Defendants, jointly, severally, or in the alternative, for compensatory damages, punitive damages, pre- and post-judgment interest, and costs of suit as provided by law.

EIGHTH COUNT

1. Plaintiff PHILIP SAUL repeats the prior allegations of this Complaint.
2. Plaintiff PHILIP SAUL is the spouse of Plaintiff KATHLEEN SAUL.
3. As consequence of the injuries to his respective spouse, Plaintiff PHILIP SAUL has suffered loss of consortium, companionship, services, society and support.

WHEREFORE, Plaintiffs demand judgment against Defendants jointly, severally, and/or in the alternative for such damages, both compensatory and punitive, as may be permitted pursuant to the laws of the State of New Jersey, together with pre- and post-judgment interest thereon, costs of suit and attorney fees.

Plaintiffs hereby incorporate by reference all allegations set forth in the Standard Complaint, as amended, which is contained in the Asbestos Manual. A copy of the Asbestos

Manual which contains the Standard Complaint can be obtained from the Middlesex County
Mass Tort Clerk or by visiting the following website:

[http://www.judiciary.state.nj.us/attorney/assets/mcl/asbestos/asbestos_amended_std_complaint.p
df](http://www.judiciary.state.nj.us/attorney/assets/mcl/asbestos/asbestos_amended_std_complaint.pdf)

DEMAND FOR TRIAL BY JURY

Plaintiffs demand a trial by jury on all issues.

DEMAND FOR ANSWERS TO INTERROGATORIES

Pursuant to the Asbestos Litigation General Order, Section VI.B. which can be found at
<http://www.njcourts.gov/attorneys/assets/mcl/asbestos/orders/generalorder1.pdf>, Plaintiffs
hereby demand that the above listed Defendants answer Standard Interrogatories in the form
prescribed by the Court and within the time provided by the above referenced Order. A copy of
the Standard Interrogatories are contained in the Asbestos Manual and may be obtained from the
Clerk or by visiting the following website:

<http://www.judiciary.state.nj.us/attorneys/assets/mcl/asbestos/asbestosmanual050306.pdf>

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Robert Lytle, Esq. and Leah Kagan, Esq. are hereby designated
as trial counsel in this matter.

CERTIFICATION

I hereby certify that to my knowledge the within matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding, and that no other action or arbitration proceeding is contemplated with the exception of a possible workers' compensation claim. I have no knowledge at this time of any non-party who should be joined in this action.

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Dated: February 7, 2018